

# Rocky Flats Coalition of Local Governments

Boulder County      City and County of Broomfield      Jefferson County  
City of Arvada      City of Boulder      City of Westminster      Town of Superior

## Rocky Flats Coalition of Local Governments Board Meeting Minutes

**Monday, February 28, 2005**

**8:30 a.m. – 11:50 p.m.**

**Mt. Evans Room in the Terminal Building  
Jefferson County Airport, Broomfield**

**Board members in attendance:** Gary Brosz (Director, Broomfield), Lori Cox (Alternate, Broomfield), Mike Bartleson (Alternate, Broomfield), Sam Dixon (Director, Westminster), Jo Ann Price (Alternate, Westminster), Ron Hellbusch (Alternative, Westminster), Clark Johnson (Alternate, Arvada), Jim Congrove (Director, Jefferson County), Nanette Neelan (Alternate, Jefferson County), Karen Imbierowicz (Director, Superior), Devin Granbery (Alternate, Superior), Carl Castillo (Alternate, City of Boulder), Ben Pearlman (Director, Boulder County), Jane Uitti (Alternate, Boulder County).

**Coalition staff members and consultants in attendance:** David Abelson (Executive Director), Kimberly Lohr (Assistant Director), Rik Getty (Technical Program Manager), Barb Vander Wall (Seter & Vander Wall, P.C.).

**Members of the Public:** Dave Shelton (Kaiser-Hill), Nancy Tuor (Kaiser-Hill), Patrick O'Keefe (Kaiser-Hill), Joe Legare (DOE), Frazer Lockhart (DOE), Karen Lutz (DOE), John Rampe (DOE), Robert Bistline (DOE), Mark Sattelberg (USFWS), Amy Thornburg (USFWS), Andrew Todd (USFWS), Mark Aguilar (EPA), Rob Henneke (EPA), Steve Gunderson (CDPHE), Carl Spreng (CDPHE), Edgar Ethington (CDPHE), Shirley Garcia (Broomfield), Al Nelson (Westminster), Bob Nelson (Golden), Jeanette Alberg (Senator Allard), Chris O'Brien (Senator Allard), Doug Young (Rep. Udall), Carolyn Boller (Rep. Udall), Kimberly Cadena (Rep. Beauprez), Ken Korkia (RFCAB), Roman Kohler (Rocky Flats Homesteaders), F.P. Cruz (RFSOIU), Ron DiGiorgio (USWA Local 8031), Chuck Miller (USWA Local 8031), Hank Stovall (former Board member), Lisa Morzel (former Board member), Alisha Jeter (Broomfield Enterprise), Kim McGuire (Denver Post), Erin Hamby (RMPJC), Anne Fenerty (citizen), Hildegard Hix (citizen), Mike Fenerty (citizen), Judy Karstadt (citizen), Harvey Nichols (CU).

### Convene/Agenda Review

Vice chairman Gary Brosz, convened the meeting at 8:32 a.m. He introduced independent documentary film makers from Available Media, Inc., who would be filming the entire Board meeting.

### Business Items

**1) Consent Agenda -** Karen Imbierowicz motioned to approve the consent agenda. Ben Pearlman seconded the motion. The motion passed 6-0 (Jefferson County was not yet in attendance).

**2) Approve Washington, D.C. Briefing Packets -** David Abelson reviewed the minor changes suggested by Broomfield and Westminster, adding to the bulleted lists under the year in review, the cleanup documents reviewed, and challenges remaining. Part of the problem in adding more information to the slides is formatting, thus David asked for some leeway in adjusting the language and fonts to fit onto the slides appropriately. Carl Castillo also provided correction for a typo. Sam Dixon

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raised concerns regarding the LSO becoming too large and bureaucratic, and David asked her to hold that discussion until later in the meeting. Sam Dixon motioned to approve the Coalition's Washington, D.C. briefing packets, subject to David Abelson's edits. Karen Imbierowicz seconded the motion. The motion passed 7-0.

**3) Executive Director's Report** - David Abelson reported on the following items.

- A contract dispute between MACTEC and Kaiser-Hill over equipment left onsite could result in the appearance of a conflict of interest during MACTEC's involvement in the ORISE independent review. At David's request, MACTEC wrote a letter which explains the situation between the two companies and addresses how they will handle the potential conflict.
- The fiscal note attached to the revised McKinley bill presumes that the mandated signs (warning of Rocky Flats history and onsite contamination) will have to be offsite, and that Charlie McKay would be willing to subdivide his property on the west side of the site for said signs.
- Demolition of Building 776/777 will start this week, beginning with areas decontaminated to free release standards, then work will move to the contaminated areas. Per CDPHE, more cleanup was possible than anticipated, but systems will still be in place to control residual contamination, including dust suppression and disconnecting underground plumbing.
- David is continuing to schedule meetings for the Coalition's annual trip to Washington, D.C. He provided the current schedule to the Board.
- Legacy Management (LM) sent a document to the Coalition and RFCAB outlining how LM will move forward in developing the Local Stakeholder Organizations (LSO) at the three closure sites. In the document LM recommends membership be limited to eleven to fifteen members, which would include DOE as an *ex-officio* member. Appointment to the LSO would be the responsibility of local elected officials with concurrence by DOE, and non-elected members must represent a constituency. Additionally, although it is not in this document, LM has stated that non-elected members would not be involved in administration of the LSO and the role of non-elected members will be up to the elected officials.

Sam Dixon again raised the issue of keeping the LSO small since pertinent decisions will have already been made and the LSO will essentially only be watching monitoring. She said people already only pay attention to their own interests and she could see interest waning, thus only necessitating quarterly meetings and eventually only annual meetings. Sam said to keep an ongoing organization or office in place would be a waste of money, and she was not sure whether it would be located in Broomfield or Westminster. David agreed that the LSO would need to be able to morph over time. He also reminded Sam that when Westminster sent a letter to DOE last fall suggesting that only Broomfield and Westminster would remain involved, the other local governments made it clear they intend to remain involved. Sam said she is not trying to eliminate participation, but these types of details should be worked out in the beginning.

Jane Uitti asked if the MACTEC letter details a specific process. David said MACTEC is basically stating that there will not be a conflict of interest since the people working on the ORISE review had no dealing with Kaiser-Hill in their current dispute. Barbara Vander Wall added that MACTEC explained how they would deal with the perception of conflict and they confirmed it would not impact their ability to do their work.

**Public Comment**

Erin Hamby (RMPJC) voiced her disappointment that the closure performance presentations were being held at the Coalition and RFCAB Board meetings where tight agendas limit discussion, instead of in the prior format of the annual State of the Flats meeting. She questioned where and when public notice had been given for this meeting. Erin also asked that the public be called on after the presentations, since

this meeting is an opportunity for public dialogue.

Ann Fenerty (citizen) noted that recent independent reviews had identified serious flaws in plans for groundwater and the Original Landfill, thus she asked what the Coalition planned to do to protect the public's interest in pure drinking water. She also asked why the Coalition had not addressed or discussed the many problems raised by these independent reviews and the EPA, particularly as the future LSO - the organization to be tasked with monitoring impacts to the community. Ann reiterated Erin's request that the public be allowed to ask questions of the presenters, and added that the Coalition's funding of \$500,000 from DOE should allow for the purchase of a microphone. Ann again referred to the independent reviewer's reports in contrast to the Coalition's independent review efforts, and said she is concerned over the Coalition's ability to provide post-closure monitoring. David Abelson responded that the groundwater report will be discussed later in the meeting, and the landfill report is not being discussed yet at the request of Westminster and the Woman Creek Reservoir Authority. As far as communication with the public, the Coalition sends 55 Board packets to the public in addition to the 25 for Coalition members.

Ron DiGiorgio (USWA Local 8031) said former employees would be an asset to the LSO. He also thanked the Coalition for supporting workers while in Washington, D.C., and noted that the steelworkers union had filed a petition for Special Exposure Cohort Status under the Energy Employees Occupational Illness and Compensation Program Act.

Hank Stovall (former Coalition Board member) referred to the selection of LSO members and said if elected officials do not provide a sufficient forum for the community to be involved it would not be credible and would fail. He said he does not appreciate LM creating artificial requirements after the legislation was passed.

Hildegard Hix (citizen) said she is drafting a paper for the Jefferson County League of Women Voters and asked if the 16,000 soil samples were all composites and if any were modeled. Joe Legare (DOE) said that number represents 16,000 different sampling locations, and the recent soil samples which were composited were unique.

Judy Karstadt (citizen) asked about runoff into Stanley Lake and questioned the last date the water in the lake had been tested. David explained that the hydrological connection between the Site and Stanley Lake had been broken in approximately 1997 or '98, but said she should talk to Westminster staff for specific information.

Roman Kohler (Rocky Flats Homesteaders) thanked the Coalition for its continued support on retiree and former worker health benefits issues. He encouraged the Board to support the Special Exposure Cohort legislation to be discussed later in the meeting.

Harvey Nichols (CU) asked for clarification on the demolition plans for Building 776, including plans to ensure no fugitive dust is released and what notice the public would receive. He noted he wants the information on public record. David responded that demolition would begin this week and that all issues had already been brought before the Board and it is satisfied with the planned approach. He added that the Coalition had received notice from CDPHE the week prior with details on the controls to be in place.

Phil Cruz (RFSOIU) reiterated Roman Kohler's request that the Coalition support the Special Exposure Cohort legislation as workers who should be eligible are being turned down for benefits.

Mike Fenerty (citizen) said he understands that money spent on cleanup must be limited and people are

doing their best job, but the fact of the matter is that the public does not know that the cleanup only goes down three feet and gross contamination is allowed below that. He said it is not a cleanup, but a cover-up. He added that the Coalition's effort to defeat the McKinley bill is a cover-up of a cover-up.

### **Update on Closure Performance**

Frazer Lockhart (DOE) reviewed the broad perspective of DOE's responsibilities during cleanup, cleanup progress, and the challenges of the upcoming year. He began by describing the overall scope of work involved in completing the cleanup at a total cost of \$7 billion with a planned completion date of December 15, 2006, although it appears they will beat that date by a year.

Frazer then listed all the factors which have brought about a successful cleanup thus far, including a clearly defined end state, the Rocky Flats Cleanup Agreement, the Closure Contract with Kaiser-Hill, and support from workers, the DOE complex, Congress, and the community. The Closure Contract, signed in 2000, has a target cost of \$4 billion and target closure date of December 2006. The project has remained below cost and ahead of schedule for three years, and is currently 7% below cost and 7% ahead of schedule. Nearly 85% of the total work is complete and the vast majority of risk to surrounding communities has been eliminated. However, the amount of heavy industrial work is increasing, resulting in new challenges and concerns. Frazer also cited how many cleanup commitments are being exceeded. Examples include: all fissile materials being removed two years early; cleaning the Industrial Area sufficiently so a cap over the entire area will not be required; and, surface soil remediation improving from the original radionuclide soil action level (RSAL) of 651 pCi/g to 50 pCi/g. DOE will verify cleanup through an independent review of soils, and remaining closeout documents and monitoring. Additionally, there will be a General Accounting Office review, oversight by the EPA and CDPHE as well as the community.

Frazer next described physical and regulatory closure. When physical work is complete all buildings will have been removed (except for inspection sheds to be retained by USFWS) and surface soils will have been remediated to at least 50 pCi/g, although the vast majority of the site will be less than 7 pCi/g. The two landfills will be covered and passive groundwater treatment systems will be in place. Continued surveillance, maintenance and monitoring systems will also be in place. Regulatory closure will require completion of the following:

- Rocky Flats Cleanup Agreement
- Comprehensive Risk Assessment
- Acceptance of Kaiser-Hill contract performance
- Record of Decision
- Certification by EPA and CDPHE that remedies are operating effectively
- EPA certification of site cleanup

Frazer completed his presentation by reviewing a cleanup and closure transition timeline which extends into post-closure care. He emphasized the importance of a continued safety performance, dispositioning remaining orphan waste, and maintaining funding and community support.

Jim Congrove asked about cleanup below three feet. Frazer explained that cleanup extends below three feet in areas that are known to be contaminated, such as the 903 Pad where they chased contamination plumes sometimes down to twelve feet. However, according to the RSALs agreed to in the RFCA, contamination three to six feet could be as high as 1000 pCi/g although these levels are isolated to a few locations which are well known.

Sam Dixon asked how many drums of orphan waste are still onsite. Frazer said there are ten drums but he received notice that three have disposition pathways as of last week. He expects that all will be

disposed of by the time of closure, but if not they will be sent to another DOE site for holding until a treatment/disposal site is found. Sam also asked about status of comments Westminster and Broomfield sent regarding the Original Landfill IM/IRA. Joe Legare (DOE) said DOE's letter had been sent the Friday prior.

Lori Cox asked if they could put 1000 pCi/g into context. Frazer said one way to look at contamination is in the form of risk, and the risk posed by the entire site is one additional cancer death per one in 1 million people. Another comparison would be the worldwide nuclear fallout range of 0.05 - 0.5 pCi/g [at the April 5, 2005 Board meeting Hank Stovall clarified the range is actually 0.05 - 0.1 pCi/g]. Lori asked if any of the areas with levels of contamination at 1000 pCi/g or more would be outside the Industrial Area, and Frazer said these are confined to the Industrial Area. David Abelson clarified that these areas are also to be retained by DOE. Frazer said the draft MOU, which would outline DOE and USFWS responsibilities regarding these areas, is very close to publication. Jo Ann Price asked if they would be meeting all regulatory requirements, and Frazer confirmed they would not require any variances and are exceeding regulatory requirements everywhere onsite.

Nancy Tuor provided the Kaiser-Hill project update and noted that of all the superfund sites she has worked on over the past 22 years, the Rocky Flats cleanup is one of the most protective and comprehensive she has seen. She reiterated Frazer's comments regarding the project remaining significantly under cost and ahead of schedule, and stated that Kaiser-Hill remains optimistic they will be able to deliver the project by December 2005.

Nancy then summarized the cleanup work being done and challenges ahead. Special nuclear material stabilization, packaging, and shipping is complete. They have also completed 270 of 290 D&D sets, including demolition of 627 out of 802 facilities and demolition of four highly contaminated plutonium buildings. With regard to soil and water remediation, they have dispositioned 294 of 360 sites, including the 903 Lip Area from which 95,000 tons of plutonium-contaminated soil was excavated and shipped offsite. Additionally, they have remediated the carbon tetrachloride plume, which was the largest source of groundwater contamination. Work remaining includes demolition of Buildings 707, 883, 374, 444, 776/777, 460, and 371, and remediation of the landfills.

Nancy described waste shipments next and said they are averaging 125 radioactive shipments per week with details as follows:

- shipped 94 percent of site's estimated 15,000 m<sup>3</sup> of TRU/TRUM waste
- shipped 80 percent of site's estimated 360,000 m<sup>3</sup> of low-level waste
- shipped 91 percent of site's estimated 65,200 m<sup>3</sup> of low-level mixed waste

In total the site is averaging more than 360 total shipments per week, including sanitary and radioactive waste. Additionally, they have initiated rail shipments of low-level waste to Envirocare. The last of 2,087 TRU waste shipments is expected to be finished by April 2005.

Nancy then addressed safety goals and performance, reviewing rates for total recordable case rates and lost workday case rates. Rocky Flats' numbers are well below industrial injury rates for the nation and below or commensurate to DOE complex rates. Likewise, Rocky Flats workers' radiation dose average (0.08 rem) remains well below the Rocky Flats administration control limit of 0.5 rem, and the actual total site dose (77 rem) continues to decrease as a result of continuing D&D progress. Nancy said challenges remain in managing all safety programs in light of the constantly changing work environment and the upcoming large personnel layoffs, but continued excellent safety performance is the key to finishing the project by the end of the year.

Lori asked Nancy to put the federal limit of 5 rem into perspective. Bob Bistline (DOE) said 5 rem is about ten times what people in Denver receive from natural background radiation per year.

Ann Fenerty (citizen) asked if there would be continuous air monitoring during the demolition of Building 776. Steve Gunderson (CDPHE) confirmed the monitoring and provided detailed information on the contamination controls that would be in place as the entire building, including the foundation, is taken down and removed offsite. Ann also brought attention to an EPA report regarding the remediation of the carbon tetrachloride plume. Dave Shelton (Kaiser-Hill) explained that they used an agent to accelerate the breakdown of the organics in the soil, but the remediation also included removal of the product in the soil. Ann next questioned the type of cap to be used on the Original Landfill. Frazer said they plan to use an earthen layer cover which is closer to a RCRA subtitle D cover, but it is not quite that simple. The regulatory agencies give approval for a cover that gives adequate protection based on prior characterization, modeling and monitoring, and ultimately the cap design will depend on how best to protect the environment and not simply classifying it as RCRA C or D. Steve Gunderson added that the EPA determined that several subtitle C requirements are relevant and appropriate, and that CDPHE and the Site are still working through modifications.

Erin Hamby (RMPJC) said she felt information presented was misleading, referring to Frazer's slide which compares the prior RSAL of 651 pCi/g to current RSALs, since the prior RSAL was not based on depth while the current RSALs are. Frazer explained that surface soils have a direct exposure pathway while it is highly unlikely there would be exposure to contamination below six feet, thus surface soils were cleaned to much higher levels. Erin also said she had received a call from a worker concerned about mandatory overtime. Chuck Miller (USWA Local 8031) said there had been mandatory overtime in B776 for waste inspectors, with some working close to 70 hours a week for a few weeks. Nancy said overtime is mostly covered by volunteers as it is not good business to have people working who do not want to be there, although she is aware of peer pressure and issues of people wanting overtime pay before they lose their jobs. She said they watch for the fatigue factor. Frazer said DOE also observes workers' fitness for duty.

Sam Dixon said she is disappointed the Site no longer holds these presentations in the context of the annual State of the Flats meeting. David said the attendance was very poor at the State of the Flats meeting two years ago, thus DOE asked the Coalition and RFCAB if they would be willing to host the public updates. He also emphasized that meeting notices are sent out to a large distribution list, including newspapers.

Ann Fenerty said Kaiser-Hill will receive a bonus for accelerated cleanup, and she asked if there is also an incentive for quality control. Frazer clarified that Kaiser-Hill does not receive a bonus, but as they are a company they get profits, or a fee, for work done. There are quality control requirements in their contract, illustrated by the safety requirements discussed earlier. Ann also asked where the proof is documented of soils being cleaned to levels lower than 7 pCi/g. Frazer said the proof is in individual cleanup documents and will be verified by independent review and documented in the Comprehensive Risk Assessment and Record of Decision.

#### **Update on Americium Contamination in Ponds A-3 and A-4**

Dave Shelton (Kaiser-Hill) updated the Board on the events surrounding Ponds A-3 and -4 as follows. In November pre-discharge samples showed elevated levels of americium in the ponds.

- A-3: americium = 0.639 pCi/l, plutonium = 0.007 pCi/l
- A-4: americium = 0.563 pCi/l, plutonium = 0.005 pCi/l

Kaiser-Hill conducted a sediment source evaluation and surface water source investigation at various

upstream drainage locations, identifying manhole #3 from Building 771 as the source. They immediately commenced excavation of manhole #3 to identify and sever the lines thus isolating and stopping the source. In late December they began the evaluation of treatment options and associated water management operations between the A-series ponds and B-series ponds. By early January they began a series of laboratory tests to identify the effectiveness of treatment options, including straight filtration, calcium phosphate co-precipitation, and ferrous chloride. On January 17 they decided on calcium phosphate as the preferred treatment approach and initiated procurement of the necessary equipment and construction of the treatment system at Pond A-4. Treatment of Pond A-4 water started February 3, with discharge to Pond A-3.

Approximately 7.5 million gallons of treated water is being transferred from Pond A-4 to Pond B-4/5. Upon completion of transfer they plan to confirm water quality via pre-discharge sampling, discharge Pond B-5, and shift Pond A-4 treated water from recirculation to discharge into Pond A-3. The second batch of 8-9 million gallons of treated water in Pond A-3 will be sampled and then either transferred to Pond B-5 or directly discharged to North Walnut Creek through GS-11. Estimated completion of water treatment, when the last batch of 8-9 million gallons is treated, is the end of March.

Thus far they have treated more than 7.5 million gallons from Pond A-4, discharging the water to Pond A-3, reducing americium levels from 0.6 pCi/l to 0.15 pCi/l. The treated water was then pumped from Pond A-3 to Pond B-4/5. Treatment has resulted in one waste container of sludge and the consumption of the following chemicals:

- 9300 pounds of calcium hydroxide lime
- 2750 gallons of calcium chloride
- 605 gallons of phosphoric acid
- 1430 gallons of sulfuric acid

Dave reviewed proposed treatment adjustments to get the system running at its optimum performance. There were no questions from the Board.

### **H.R. 428, Rocky Flats Special Exposure Cohort Act**

Carolyn Boller (Rep. Udall) and Kim Cadena (Rep. Beauprez) explained H.R. 428, a bill that Reps. Udall and Beauprez have reintroduced which would classify Rocky Flats as a Special Exposure Cohort (SEC) under the Energy Employees Occupational Illness and Compensation Program Act (EEOICPA). This classification would automatically qualify Rocky Flats workers for the \$150,000 compensation and health benefits under the EEOICPA if they had been onsite for over 250 work days and had one of the 22 eligible cancers. Carolyn clarified that there are several parts to the EEOICPA and this bill addresses the cancer piece under Part B, administered by Department of Labor, which requires a dose reconstruction by NIOSH under Health and Human Services (HHS). She added that the steelworkers had also submitted a SEC petition to NIOSH.

Sam Dixon asked if people who had already been turned down would be reconsidered, and she voiced concern over lost records and poor monitoring. Kim noted that people have not been turned down for insufficient information, but some still have not received responses yet because their claim has not yet made it that far. Carolyn noted that DOL has been successful in processing beryllium claims, but that is not related to this piece dealing strictly with the cancers. Bob Bistline (DOE) added that the NIOSH dose reconstruction deals strictly with radiation exposure, but there is also compensation for exposure to hazardous chemicals under Part E which was recently moved from DOE to DOL. Kimberly Lohr asked if claims that had been denied for not meeting the 50 percent threshold exposure requirements would have to be refiled if the legislation is approved. Jeanette Alberg (Senator Allard) said NIOSH advised her that claims would be granted if the worker was included in the eligible class. She also learned that

NIOSH has received 951 individual Part B cancer claims to date. Carolyn said 90 of those had been sent to DOL for payment, and 290 that had been denied as not meeting the requirements. Clark Johnson asked if the steelworkers' petition would be considered in this legislation if the petition is approved. Kim responded that the petition addresses a different population as it targets specific tasks and buildings, while the legislation does not get that specific. Phil Cruz (USWA Local 8031) extolled the importance of SEC status since many workers who should be eligible are being turned down. Ron DiGiorgio (USWA Local 8031) said there are three other sites which received materials from Rocky Flats and have been given this SEC status.

David Abelson said the Board should support this bill as proving causation can be virtually impossible. In short, the bill says if a person worked at Rocky Flats and has one of these cancers it is presumed there is a causal link. Karen Imbierowicz motioned to support H.R. 428, and directed staff to write a letter reflecting this position. Sam Dixon seconded the motion. The motion passed 7-0.

### **H.B. 1179, McKinley Bill**

David Abelson said that at the last Board meeting he had heard the Board give the direction to oppose Rep. McKinley's Rocky Flats bill unless it is amended, draft the Coalition's proposed amendments and forward these amendments to Reps. McKinley and Weissman. However, he is now hearing varying positions from Board members as to how much focus is on opposition and how much focus is on amending. The bill has a fiscal note of \$100,000 and is going to the appropriations committee. David stated the Board should not revisit its position, but asked the Board for direction on legislative strategy and whether they want to wait until the bill gets through appropriations.

Sam discussed the issue of the signs being located offsite resulting in the high fiscal note, and suggested the RFCA parties negotiate sign location. David explained the legal issues as to why the Radiation Control Act does not apply to Rocky Flats, why the state never had regulatory authority over radionuclides at Rocky Flats, and why the state cannot impose its requirements on the federal lands without a waiver. Lori Cox said her concern is that by supporting the bill in any form it gives credence to Rep. McKinley's assertions since his reactions are to occurrences which happened twenty years ago. She said the bill sends the wrong message and shows no distinction over where the majority of the contamination lies. Lori said she would prefer to kill the bill because information on Rocky Flats and its history does not need to be legislated. Sam disagreed and said the bill is not frivolous and it has some merits, and it is also consistent with long-term stewardship of the site.

Carl Castillo said everyone should be able to agree to the need for disclosure, and agreed that "oppose unless amended" could look differently to different people. He suggested continuing the current course of developing amendments and sending them out as a Coalition concerned with maintaining safety. He said the strategy of attempting to outright kill the bill is not the strategy or message formerly agreed to by the Board. Clark Johnson stated it is not a matter over the signs but a matter of the process of how that information dissemination is decided upon. The Coalition has been involved and working with RFCA parties in the current process on issues such as this. He said Arvada believes the bill should be killed as it takes control away from the communities, but it is still a good idea to have amendment language ready. David said the amendments as currently agreed to would not change the ongoing RFCA process.

Ben Pearlman said this discussion is the same as the discussion at the prior Board meeting. He said it is possible to steer the bill so it would not conflict with Coalition goals and at the same time not question the role of the state legislature, but if the final bill is bad then they could oppose it. Gary Brosz said he hesitates to support the bill if it creates unreasonable fear in the public so they do not visit the refuge, but he would support it if amended as the Coalition proposes. Carl Castillo moved to continue to oppose



H.B. 1179 unless amended, and to forward proposed amendments to Representatives McKinley and Weissman. Karen Imbierowicz seconded the motion. The motion passed 6-0 (Jefferson County was no longer present).

### **Public Comment**

Chuck Miller (USWA Local 8031) said they will be losing 200 steelworkers within the month and another 100 in April. He asked the Board to bring attention to the issue of workers who fall short of eligibility for healthcare benefits due to early closure while the Board is in Washington, D.C. Jeanette Alberg (Senator Allard) said Senator Allard had requested, in the 2005 National Defense Authorization Act, that DOE compile a report for the three early closure sites which would count the number of employees affected to determine if it would be feasible to bridge that gap.

Erin Hamby (RMPJC) thanked the Board for taking questions from the public during the presentations.

### **Updates/Big Picture Review**

**Broomfield** - Due to time constraints, Broomfield's update on their technical reviews had been moved to the end of the meeting. Gary Brosz and the Board agreed to postpone the update. Karen Imbierowicz asked that the regulators be included in the next discussion so that they can respond to issues raised in the reports.

**Big Picture** - The Board reviewed the Big Picture. The April 4<sup>th</sup> meeting will include Broomfield and Westminster's updates on their technical reviews and a continuation of the LSO discussion.

The meeting was adjourned by Gary Brosz at 11:51 a.m.

*Respectfully submitted by Kimberly Lohr, Assistant Director*

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